



MAY 21, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

LATHAM & WATKINS
BRADLEY BUGDANOWITZ, ESQUIRE
505 MONTGOMERY STREET
SAN FRANCISCO, CA 94111



102343603A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/09/2003

REEL/FRAME: 013663/0689
NUMBER OF PAGES: 13

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
PROTOGENE LABORATORIES, INC.

DOC DATE: 12/20/2002

ASSIGNEE:
METRIGEN, INC.
1245 LINCOLN AVENUE
PALO ALTO, CALIFORNIA 94301

SERIAL NUMBER: 09715426
PATENT NUMBER:

FILING DATE: 11/16/2000
ISSUE DATE:

SERIAL NUMBER: 09264388
PATENT NUMBER:

FILING DATE: 03/08/1999
ISSUE DATE:

SERIAL NUMBER: 09519927
PATENT NUMBER:

FILING DATE: 03/07/2000
ISSUE DATE:

SERIAL NUMBER: 09684736
PATENT NUMBER:

FILING DATE: 10/06/2000
ISSUE DATE:

013663/0689 PAGE 2

SERIAL NUMBER: 09686597
PATENT NUMBER:

FILING DATE: 10/10/2000
ISSUE DATE:

SERIAL NUMBER: 09645021
PATENT NUMBER:

FILING DATE: 08/23/2000
ISSUE DATE:

SERIAL NUMBER: 08068540
PATENT NUMBER: 5474796

FILING DATE: 05/27/1993
ISSUE DATE: 12/12/1995

SERIAL NUMBER: 08465761
PATENT NUMBER: 5985551

FILING DATE: 06/06/1995
ISSUE DATE: 11/16/1999

SERIAL NUMBER: 08792356
PATENT NUMBER: 6001311

FILING DATE: 02/05/1997
ISSUE DATE: 12/14/1999

SERIAL NUMBER: 08970115
PATENT NUMBER: 6177558

FILING DATE: 11/13/1997
ISSUE DATE: 01/23/2001

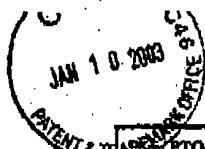
SERIAL NUMBER: 09314456
PATENT NUMBER: 6210894

FILING DATE: 05/18/1999
ISSUE DATE: 04/03/2001

SERIAL NUMBER: 09662066
PATENT NUMBER: 6337393

FILING DATE: 09/14/2000
ISSUE DATE: 01/08/2002

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



01-22-2003

REC 102343603 I.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office															
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.															
1. Name of conveying party(ies): 1-10-03 ProtoGene Laboratories, Inc., a Delaware corporation Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>December 20, 2002</u>	2. Name and address of receiving party(ies) Name: <u>Matricen, Inc.</u> Internal Address: _____ Street Address: <u>1245 Lincoln Avenue</u> City: <u>Palo Alto</u> State: <u>CA</u> Zip: <u>94301</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ <table border="0"> <tr> <td>A. Patent Application No.(s)</td> <td>B. Patent No.(s)</td> </tr> <tr> <td><u>09/715,426</u> (filed November 16, 2000)</td> <td><u>5,474,796</u></td> </tr> <tr> <td><u>09/284,368</u> (filed March 8, 1999)</td> <td><u>5,985,651</u></td> </tr> <tr> <td><u>09/519,927</u> (filed March 7, 2000)</td> <td><u>6,001,311</u></td> </tr> <tr> <td><u>09/684,736</u> (filed October 6, 2000)</td> <td><u>6,177,558</u></td> </tr> <tr> <td><u>09/686,587</u> (filed October 10, 2000)</td> <td><u>6,210,594</u></td> </tr> <tr> <td><u>09/645,021</u> (filed August 23, 2000)</td> <td><u>6,337,393</u></td> </tr> </table> Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		A. Patent Application No.(s)	B. Patent No.(s)	<u>09/715,426</u> (filed November 16, 2000)	<u>5,474,796</u>	<u>09/284,368</u> (filed March 8, 1999)	<u>5,985,651</u>	<u>09/519,927</u> (filed March 7, 2000)	<u>6,001,311</u>	<u>09/684,736</u> (filed October 6, 2000)	<u>6,177,558</u>	<u>09/686,587</u> (filed October 10, 2000)	<u>6,210,594</u>	<u>09/645,021</u> (filed August 23, 2000)	<u>6,337,393</u>
A. Patent Application No.(s)	B. Patent No.(s)														
<u>09/715,426</u> (filed November 16, 2000)	<u>5,474,796</u>														
<u>09/284,368</u> (filed March 8, 1999)	<u>5,985,651</u>														
<u>09/519,927</u> (filed March 7, 2000)	<u>6,001,311</u>														
<u>09/684,736</u> (filed October 6, 2000)	<u>6,177,558</u>														
<u>09/686,587</u> (filed October 10, 2000)	<u>6,210,594</u>														
<u>09/645,021</u> (filed August 23, 2000)	<u>6,337,393</u>														
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Bradley Buddenowitz, Esquire</u> Internal Address: <u>c/o Latham & Watkins</u> Street Address: <u>505 Montgomery Street</u> City: <u>San Francisco</u> State: <u>CA</u> Zip: <u>94111</u>	6. Total number of applications and patents involved: 12 7. Total fee (37 CFR 3.41).....\$ <u>480.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: _____ (Attach duplicate copy of this page if paying by deposit account)														
DO NOT USE THIS SPACE															
B. Statement and signature To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <u>Jeffrey W. Wutzke</u> Name of Person Signing <u>[Signature]</u> Signature <u>January 9, 2003</u> Date Total number of pages including cover sheet, attachments, and document: 13															

SF399013.1

B. Six Pending U.S. Applications

Title: Method and Apparatus for Conducting an Array of Chemical Reactions on a Support Surface ("Surface Tension Application")
Inventor(s): Thomas M. Brennan
Serial No: 09/715,426
Filed: November 16, 2000
Howrey No: 05871.0002.CNUS05
Action Item: Filed Response to Restriction Requirement in June 2002. No action due until at least December 2002.

Title: Methods and Compositions for Economically Synthesizing and Assembling Long DNA Sequences ("1st Gene Assembly Application")
Inventor(s): Thomas M. Brennan and Herbert L. Heynecker
Serial No: 09/264,388
Filed: March 8, 1999
Howrey No: 05871.0003.US00
Action Item: Filed Notice of Appeal in April 2002. Action due November 2002.

Title: Methods and Compositions for Economically Synthesizing and Assembling Long DNA Sequences ("2nd Gene Assembly Application")
Inventor(s): Thomas M. Brennan and Herbert L. Heynecker
Serial No: 09/519,927
Filed: March 7, 2000
Howrey No: 05871.0003.US01
Action Item: Filed Response to Office Action in January 2002. No action due until at least December 2002.

Title: Method and Apparatus for Performing Large numbers of Reactions Using Array Assembly ("1st Array PCR application")
Inventor(s): Thomas M. Brennan et al.
Serial No: 09/684,736
Filed: October 6, 2000
Howrey No: 05871.0010.US01
Action Item: Response to Office Action due August 2002 with extensions to November 2002.

Assignor represents, warrants and covenants that: (i) it is the sole owner, assignee and holder of record title to the Patent Rights identified above, and (ii) it has full power and authority to make the present assignment.

Assignor further agrees to and hereby does sell, assign, transfer and convey unto Assignee all rights: (i) in and to causes of action and enforcement rights for the Patent Rights including all rights to pursue damages, injunctive relief and other remedies for past and future infringement of the Patent Rights, and (ii) to apply in any or all countries of the world for patents, certificates of invention or other governmental grants for the Patent Rights, including without limitation under the Paris Convention for the Protection of Industrial Property, the International Patent Cooperation Treaty, or any other convention, treaty, agreement or understanding. Assignor also hereby authorizes the respective patent office or governmental agency in each jurisdiction to issue any and all patents or certificates of invention which may be granted upon any of the Patent Rights in the name of Assignee, as the assignee to the entire interest therein.

Assignor will, at the reasonable request of Assignee and without demanding any further consideration therefor, do all things necessary, proper, or advisable, including without limitation the execution, acknowledgment and recordation of specific assignments, oaths, declarations and other documents on a country-by-country basis, to assist Assignee in obtaining, perfecting, sustaining, and/or enforcing the Patent Rights.

The terms and conditions of this Assignment shall inure to the benefit of Assignee, its successors, assigns and other legal representatives, and shall be binding upon Assignor, its successor, assigns and other legal representatives.

* * *

IN WITNESS WHEREOF this Assignment of Patent Rights is executed at Palo Alto, CA,
on December 20, 2002.

ASSIGNOR

PROTOGENE LABORATORIES, INC.

By: [Signature]

Name: DAVID L. FANN

Title: Chairman

(Notarization Required)

[Signature]
Name

State of California)

County of San Clara)

On December 20, 2002, before me, Susan Parsons
personally appeared David Fann
☐ personally known to me or ☒ proved to me
on the basis of satisfactory evidence, to be the
person whose name is subscribed to the within
instrument and acknowledged to me that he/she
executed the same in his/her authorized capacity,
and that by his/her signature on the instrument
the person or the entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand and official seal

[Signature]
(Notary Public)

